

FISCAL NOTE

SB 2738 - HB 2799

March 7, 2006

SUMMARY OF BILL:

- Requires that any entity conducting blasting operations within one-half mile of any dwelling house, public building, church, school or commercial or institutional building shall conduct an inspection of each building and create a written record, complete with photographs, of any cracks, fissures or separations. Any action initiated against the blasting entity within six months of the blasting event will contain a rebuttable inference that any cracks, fissures or separations not present in the written record was caused by the blasting.
- Mandates use of seismograph measurements in all blasting operations.
- Requires all blasting records to be filed with the Department of Commerce and Insurance within one business day of each blast.
- Requires the Department to make blasting records available within seventy-two hours of a request.
- Requires the blasting records of blasting operations in Davidson County to also be filed with the County Fire Marshal.
- Requires the County Fire Marshal to make blasting records available within seventy-two hours of a request.
- Requires the Department to: develop uniform guidelines for persons to use in documenting blasting damage; develop a procedure in which persons who have suffered blasting damage to file complaints against blasters; develop a program to facilitate prompt and fair settlements between blasters and persons who have suffered blasting damage.
- Authorizes the Commissioner of Commerce and Insurance to require background checks on blasters.

ESTIMATED FISCAL IMPACT:

Increase State Revenues - \$30,800/TBI

Increase State Expenditures - \$389,500 Recurring

\$209,500 One-Time

\$30,800 TBI Background Checks

Increase Local Govt. Expenditures* - \$25,000 Recurring

\$1,500 One-Time

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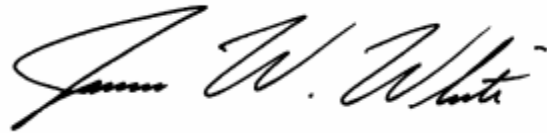
Assumptions:

- A recurring increase in state expenditures for the salary, benefits and operational expenses of six new positions.
- A one-time increase in state expenditures to purchase seismographs, vehicles, office furnishings and computer equipment, software and programming.
- An increase in state expenditures for criminal background checks.
- An increase in state revenues from the background check fee to be paid by the applicant.
- Approximately 550 annual background checks @ \$56 each.
- The Davidson County Fire Marshal's office indicates an increase in local government expenditures for one additional clerical position.

*Article II, Section 24 of the Tennessee Constitution provides that: *no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "James W. White". The signature is fluid and cursive, with the first name "James" written in a smaller, more compact script than the last name "White".

James W. White, Executive Director